

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

BRENT BLACK,)	
)	
Petitioner,)	
)	
vs.)	Case No. 4:21-CV-1181 DDN
)	
DORIS FALKENRATH,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court upon the petition under 28 U.S.C. § 2254 for writ of habeas corpus filed by convicted state prisoner Brent Black. ECF No. 1. For the reasons discussed below, the Court will transfer this case to the United States District Court for the Western District of Missouri.

In November 2015, a jury in Pulaski County, Missouri found Petitioner guilty of second-degree murder and felony child abuse. *State v. Black*, No. 14PU-CR00196-01 (25th Jud. Cir. 2014). In January 2016, that Court sentenced Petitioner to life plus twelve years, to be served consecutively. This is the judgment Petitioner challenges in his § 2254 petition currently before the Court. ECF No. 1 at 1.

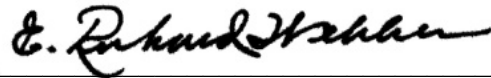
Petitioner was convicted and sentenced in Pulaski County, Missouri, which is located within the Western District of Missouri. 28 U.S.C. § 105(b)(5). Petitioner is currently incarcerated at Jefferson City Correctional Center which is located in Cole County, Missouri and also within the Western District of Missouri. 28 U.S.C. § 105(b)(4). Therefore, this case is properly brought in the Western District of Missouri. 28 U.S.C. § 2241(a).

When a case is filed in the wrong venue, pursuant to 28 U.S.C. § 1406(a), a district court may, if it is in the interest of justice, transfer such action to any other Court in which such action could have been brought. As such, the Court finds that it would be in the interest of justice to transfer the instant case to the United States District Court for the Western District of Missouri.

Accordingly,

IT IS HEREBY ORDERED that this action shall be **TRANSFERRED** to the United States District Court for the Western District of Missouri pursuant to 28 U.S.C. § 1406(a).

Dated this 14th day of October, 2021.

A handwritten signature in black ink, appearing to read "E. Richard Webber", is written above a horizontal line.

E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE